

**FORMAL MEETING AGENDA
BOARD OF SUPERVISORS
WEDNESDAY, AUGUST 9, 2000
9:00 A.M.**

INVOCATION – Chaplain Gregory Millard, Maricopa County Sheriff's Office

PLEDGE OF ALLEGIANCE – Ross Tate, County Auditor

ROLL CALL

1. *Presentation to John Barclay, former Justice of the Peace, Northwest Phoenix Justice Court.*
2. *Presentation to Tom Waldbillig, Environmental Services Department from Supervisor Mary Rose Wilcox.*

AGENCY ITEMS AND STATUTORY MATTERS

ELECTED OFFICIALS

Board of Supervisors

3. AMENDMENTS TO RYAN WHITE TITLE 1 PLANNING COUNCIL BYLAWS

Approve amendments to the Ryan White Title 1 Planning Council Bylaws. Major changes include a revision to Article IV, Section 4 which changes from the word "designee" to "alternate" with a revised definition; Article V, Section 4 (Voting) & Section 5 (Quorum) which define and clarify Alternate voting, Proxy voting, and Quorum clarification; Article VI, Section 1 regarding definitions and voting rights on the Executive Committee; and Article X which changes the designation from Sub-committees to Committees and details information about the membership, chair, vice-chair, and voting on Committees. Other changes in the bylaws are either housekeeping in nature or to provide consistency with the above mentioned changes. Effective upon approval by the Board of Supervisors. (C03010026)

County Attorney

4. AGREEMENT FOR LEGAL SERVICES

Approve a one-month renewal (until July 31, 2000) of the agreement for Legal Services approved by the Board on October 20, 1999, and approve a new agreement for Legal Services with the Law Office of Richard L. Strohm, PC. The new agreement is effective August 1, 2000, through June 30, 2001, with a renewal option upon the mutual agreement of the parties for two additional, two-year periods. The compensation negotiated for this agreement is an hourly rate of \$95 for attorney time and \$75 for paralegal time. Mr. Strohm has been under contract with Maricopa County since September 16, 1998, pursuant to an "of counsel" agreement. This agreement changes the method of payment to a flat hourly rate payment schedule. (C1999014101) (C19010111)

5. **FISCAL YEAR 1999-2000 FEDERAL ANNUAL CERTIFICATION REPORT**

Approve the Fiscal Year 1999-2000 Federal Annual Certification Report, which accounts for federal equitable sharing funds (more commonly known as RICO funds) received from the Department of the Treasury or the Department of Justice. The Federal Annual Certification reports revenue and expenditures through June 30, 2000. Treasury funds are tracked separately from Justice funds. (C19010121)

Sheriff

6. **GRANT AGREEMENT FROM ARIZONA CRIMINAL JUSTICE COMMISSION**

Approve Grant Agreement and acceptance of \$327,299 in grant funding from the Arizona Criminal Justice Commission (ACJC) to operate the "Multi-Agency Drug Enforcement Detention Strategy". Also approve an increase in the Sheriff's Office Fiscal Year 2000-2001 Grant Revenue and Expenditure levels by \$327,299. The Sheriff's Office indirect cost rate is 22.6%. Estimated unrecoverable indirect costs associated with this grant are at \$73,970. Personnel costs (701) \$327,299. The term of this Grant Agreement is July 1, 2000, through June 30, 2001. (C50010043)

7. **SALE OF THREE, YEAR 2000 MODEL CROWN VICTORIAS TO TOWN OF CHINO VALLEY**

Approve the sale of three, year 2000 model Crown Victorias to the Town of Chino Valley to be used as police vehicles. These vehicles sell for \$26,376 each, including extended warranty and 7.5% sales tax when purchased off the existing state contract. Sale price of these vehicles not-to-exceed \$79,128. Revenue generated from this sale will be placed back into the vehicle replacement fund to replace the vehicles. Office of Management and Budget does not agree with the practice of selling Sheriff's Office vehicles to other government entities. However, this is clearly a policy issue that should be determined by the Board of Supervisors. (THIS ITEM REQUIRES UNANIMOUS APPROVAL OF THE BOARD.) (C5001010M)

8. **FEDERAL EQUITABLE SHARING AGREEMENT AND FEDERAL CERTIFICATION REPORT**

Approve a Federal Equitable Sharing Agreement and Federal Certification Report, accounting for federal equitable sharing funds (more commonly known as RICO funds) received from the Department of the Treasury or the Department of Justice, for the period ending June 30, 2000. Treasury funds are tracked separately from Justice funds. (C50010111)

JUDICIAL BRANCH

Justice Court Services

9. **AMENDMENT TO LEASE WITH BROADWAY AND McCLINTOCK LIMITED PARTNERSHIP**

Approve Amendment No. 3 to Lease No. L7014 with Broadway and McClintock Limited partnership for the 10,923 square foot Tempe Justice Court facility located at 1845 East Broadway Road, Suite 116 and 121. This amendment is for the purpose of remodeling the existing facility by improving the functionality, operations and security within the Court. This approval will provide a lump sum payment to Lessor in an amount not-to-exceed \$40,000 for needed tenant improvements. (C2499003403) (CS896055)

COUNTY ADMINISTRATIVE OFFICER

Criminal Justice Facilities Development

10. **MULTIPLE INSURANCE AGREEMENTS**

Approve and authorize the execution of multiple insurance agreements to provide an Owner-Controlled Insurance Program (OCIP) for the Criminal Justice Facilities Development Department (CJFDD)

design and construction program. This program includes the Jail Expansion Program and the Jefferson Street Forensic Science Center. OCIPs engender a strong safety and loss control program, limit the Owners loss exposure on difficult projects, promote increased productivity and lower insurance premiums. (C40010021)

11. CHANGE ORDERS TO CONTRACT WITH HUNT/CRSSC

Approve Change Order Nos. 1 and 2 to Contract JE98-01 with Hunt/CRSSC for Program Management Services and change name of contracting firm to "Hunt Jacobs A Joint Venture." Change Order No. 1, in the amount of \$9,858,928, is due to increased scope of work in the jail expansion program. Change Order No. 2, in the amount of \$1,253,569, is due to the addition of the new Forensic Science Center. Both change orders require additional manpower and time. Change Order Nos. 1 and 2 are anticipated to cover the increased scope of work through the completion of the program in Fiscal Year 2003-2004. (C4799003101)

DEPUTY COUNTY ADMINISTRATOR

Health Care Mandates

12. SETTLEMENT OF LITIGATION CASES

Approve the settlement of the litigation with St. Joseph's Hospital and Medical Center v. Maricopa County: CV98-02220, CV 98-04692, CV 98-08113, CV 98-09656, CV 98-09923, consistent with the terms of the respective settlement agreement, which was reviewed in executive session. (C39010030)

Human Resources

- 13. Approve Personnel Agenda (Judicial Branch and Maricopa County).**

14. REWARDING IDEAS EMPLOYEE AWARDS

Authorize Employee Awards from the Rewarding Ideas Program in the amount of \$875 and present awards on August 23, 2000. (C31010057) (ADM3333)

Research and Reporting

15. AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES

Approve Amendment No. 1 to Intergovernmental Agreement, State Contract No. 761023 with the Arizona Department of Health Services in the amount of \$60,000. This amendment reflects ADHS' right to renew the original contract for up to four one-year periods, as documented in Section 2, Page 9 of the contract. The term for Year 1 begins July 1, 2000, and ends June 30, 2001. (C4697001202)

CHIEF COMMUNITY SERVICES OFFICER

Community Development

16. AMENDMENT NO. 1 TO ITEM APPROVED ON JUNE 7, 2000 – APPOINTMENTS TO COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Approve Amendment No. 1 to agenda item C17010609 (approved on June 7, 2000) to approve Sharon Quinones as the Community Development Advisory Committee (CDAC) Representative and Francisco Hernandez as the alternate representative to CDAC for the City of El Mirage for the period ending June 30, 2001, and to clarify that all CDAC appointments expire on June 30 of each year.

Positions will remain vacant until such time as the Board of Supervisors appoints representatives to serve for the coming program year. (C1701060901)

Parks and Recreation

17. CONTRACT WITH DMJM ARIZONA, INC.

Approve and execute the consultant services contract with DMJM Arizona, Inc. for the professional services to be performed in connection with the "Lake Pleasant Regional Park South End Improvements" in the amount of \$219,907.72, plus a contingency allowance of \$25,000 for a project total of \$244,907.72. (C30010011)

18. CONTRACT WITH TODD & ASSOCIATES, INC.

Approve and execute the consultant services contract with Todd & Associates, Inc. for the professional services to be performed in connection with the "Prototype Restroom Plan Modifications & Improvements" in the amount of \$137,107, plus a contingency allowance of \$25,000 for a project total of \$162,107. Other project components include ramada design, fish-cleaning station design and construction administration for the restrooms and fish-cleaning stations. (C30010021)

19. CONTRACT WITH LOGAN SIMPSON, INC.

Approve and execute the consultant services contract with Logan Simpson, Inc. for the professional services to be performed in connection with the "San Tan Mountain Excess Land Disposal, Public Participation & Graphics" in the amount of \$10,832, plus a contingency allowance of \$2,000, for a project total of \$12,832. (C30010031)

Planning and Development

20. ADDITION TO FLEET OF 12 VEHICLES

Approve the addition of eleven two-wheel-drive regular-cab full-size pick-up trucks and one minivan to the County fleet, to be assigned to the Planning and Development Department. The trucks will be used by the department's building inspectors and code enforcement officers to conduct the County's business in the unincorporated area. The minivan will be utilized to transport departmental personnel and equipment to and from various meetings, workshops, and public hearings. All of the vehicles will be converted to alternative fuel capability subsequent to acquisition. (THIS ITEM CONTINUED FROM MEETING OF JULY 26, 2000.) (C44010010)

CHIEF FINANCIAL OFFICER

Finance

21. FUND TRANSFERS

Approve regular and routine **fund transfers** from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

Materials Management

22. BID SERIALS

Approve the following bid serial items. The action on the following items is subject to review by County Counsel and subsequent execution of the document. (ADM3005)

Request for Award of Bids:

- 00057-X MICROCHIP IDENTIFICATION FOR ANIMALS (\$266,000/est 2 yrs with three (3). 1-year options to extend)**
Pricing agreement to provide Animal Control Services with microchip identification for animals.
. Avid Identification Inc
- 00078-SC STORM AND SEWER LINE CLEANING (\$450,000/est 3 yrs with two (2) 1-year options to extend)**
Pricing agreement to provide for storm and sewer line cleaning and sewer line jetting at County facilities on an as required basis.
. Pro Pipe/Hoffman Southwest
- 00103-RFP E-PROCUREMENT CONSULTANT (\$206,000/est 1 yr with four (4) 1-year renewal options)**
Pricing agreement to conduct a detailed study to analyze County Procurement Processes, consult with County staff, and recommend an appropriate E-Procurement model. Consultant will also assist in the preparation of an RFP for recommended solutions.
. The Gartner Group

Approved Extensions:

It is recommended that the Board of Supervisors approve the extension of the following annual contract: (Extensions are recommended with the concurrence of the using agency(s), satisfactory contract performance, and after a market survey is performed.)

Until August 31, 2001

- 94189-RFP COPY MACHINE RENTAL, COST PER COPY (\$1,000,000/est 1 yr.)**
Pricing agreement extension to provide copiers to Maricopa County on a cost per copy basis.
. Hughes Calihan

REQUEST FOR CAPA APPROVAL

The following individuals have successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for their individual agencies in accordance with the approved Certified Agency Procurement Aide/Procurement Card Policies and Procedures.

Department of Transportation
Lisa Pruett

Emergency Management
Verna Morris

Environmental Services
Pat Sutton

Health Care Mandates
Ester Cantu
Samantha Young

Juvenile Probation
Eddie Antwine

Office of the Legal Advocate
Merri Plummer
Debbie White

Parks & Recreation
Darrell Askew
Bob Skaggs

Research & Reporting
Aithne Pantin

Risk Management

23. SETTLEMENT OF TRICIA ANN JEFFERY WILSON v. NELSON, MMC

Approve settlement of Tricia Ann Jeffery Wilson v. Nelson, MMC, et al, CV 95-17736 for \$725,000. (DISCUSSED IN EXECUTIVE SESSIONS ON NOVEMBER 4, 1998 AND JUNE 21, 2000.) (CONTINUED FROM MEETING OF JULY 26, 2000.) (C75000107) (ADM409)

CHIEF HEALTH SERVICES OFFICER

Animal Control Services

24. AGREEMENTS FOR RESCUE OF ANIMALS – NEW HOPE PROGRAM

Approve the following agreements to allow for the rescue of animals eligible for the New Hope Program. The terms of the agreements are from August 9, 2000, to June 30, 2003.

- a) *Judy Dibbern, dba Dial-A-Pet Rescue, 4012 North 12th Avenue, Phoenix and Maricopa County. (C79012801)*
- b) *Kathy Painter, dba Shih Tzu Rescue, 1114 North 180th Drive, Buckeye, and Maricopa County. (C79012761)*
- c) *Karen J. Williams, Arizona Regional Coordinator, English Springer Rescue America, Inc., 104 North 140th Court, Chandler. (C79012751)*

25. RENEWAL OF KENNEL PERMITS

Approve the renewal of the following kennel permits for a term of August 9, 2000, through August 8, 2001: (C7901282C) (ADM2300)

- *Eddie V. Jarrett, dba Canine Heaven, 3353 East McDowell Road, Mesa, Permit No. 297. (Supervisory District No. 2)*
- *Bonnie D. Yarnell, dba Bimini Kennels, 21039 South 158th Street, Gilbert, Permit No. 081. (Supervisory District No. 1)*

26. AGREEMENTS WITH VARIOUS VETERINARY HOSPITALS/CLINICS

Approve the **following agreements to allow the various veterinary hospitals/clinics to sell Maricopa County dog licenses to dog owners at the point and time of vaccination and to members of the public requesting to purchase dog licenses and collect monies on behalf of Maricopa County for the dog licenses sold. Monies collected will be submitted on a weekly basis to the County. The terms of the following agreements are from August 9, 2000, to June 30, 2003. Annual license revenue is \$12,000 for each contract.** (C79012721ZZ)

- **Dr. Steve McDaniel, dba Vetsmart Vet Hospital and Health Center, 3865 East Thomas Road, Phoenix. (C79012731)**
- **Dr. Michael Kleban dba Red Mountain Animal Hospital, 6025 East McKellips Road, Suite 104-105, Mesa. (C79012741)**

27. **AGREEMENT WITH DR. ERIC COHEN, dba QUEEN CREEK VETERINARY CLINIC**

Approve an agreement between Dr. Eric Cohen, dba Queen Creek Veterinary Clinic, 20201 East Ocotillo Road, Queen Creek, and Maricopa County to allow Dr. Cohen to sell Maricopa County dog licenses to dog owners at the point and time of vaccination and to members of the public requesting to purchase dog licenses and to collect monies on behalf of Maricopa County for the dog licenses sold. Monies collected will be submitted on a weekly basis to County. The term of the Agreement is from August 9, 2000, to June 30, 2003. (C79012831)

28. **DONATIONS**

Accept cash donations from the following to improve the quality of life for the animals: (ADM2300)

- a) **Heather Miller of Chandler, \$466. (C79012817)**
- b) **Estate of Beulah M. Grandin, a resident of Maricopa County, \$25,000. (C79012797)**
- c) **Dan Masterman of Sun City West, \$100. (C79012787)**

Environmental Services

29. **INTERGOVERNMENTAL AGREEMENT WITH REGIONAL PUBLIC TRANSPORTATION AUTHORITY/VALLEY METRO**

Approve an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA)/Valley Metro in the amount of \$409,000 for services to the Maricopa County Regional Travel Reduction program. Funding to support these activities is from a grant to Maricopa County from the Arizona Department of Transportation. These funds are made available to the County under the Federal Intermodal Surface Transportation Efficiency Act of 1991. The RPTA will carry out project work activities, issue requests for proposals and hire consultants as required to perform related-work activities. This agreement becomes effective upon filing with the County Recorder and remains in effect for the period necessary to complete activities specified in the IGA, such period not-to-exceed June 30, 2001. (C88010011)

Human Services

30. RENEWAL OPTION FOR LEASE WITH PRESBYTERY OF GRAND CANYON

Approve an annual renewal option for Lease No. C6218 with the Presbytery of Grand Canyon, Lessor, for continued use of a 1,600 square foot Maricopa County Head Start classroom located at 8619½ South Avenida Del Yaqui, Guadalupe, Arizona. This option will extend the term of the existing lease through August 31, 2001, at an annual cost of \$3,600 for the County's share of utilities and maintenance expenses. This lease contains a 60-day termination clause and does not include any County general funds. (C2297078404)

31. INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COMMUNITY COLLEGE DISTRICT

Approve an Intergovernmental Agreement with the Maricopa Community College District for Mesa Community College/Educational Development Training Center to provide the Maricopa County Head Start staff and parents with the educational services, training, and mentoring needed to acquire the necessary tools for life long success and succeeding in the workplace for an amount not-to-exceed \$28,000. This agreement is effective July 1, 2000, through June 30, 2001. This contract does not include any County general funds. (C22010742)

32. GRANT APPLICATIONS (2) FROM U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Authorize the Human Services Department to submit applications (2) for grant funding to the U.S. Department of Health and Human Services in the amount of \$100,000 each, as described on Notices of Intent to Apply for Outside Funding (NOIs) and authorize the Chairman to approve the receipt of any and all such funds awarded. The funding will support programs that extend and enhance existing of economic self-sufficiency, community service, and educational programs for residents of Maricopa County. These services are designed to help individuals, children, and families enhance their economic, social, and physical well being. Unless otherwise indicated, all overhead/indirect costs are allowable and the Fiscal Year 2001 authorized rate will be applied to the respective grants. A Grant Agenda Indirect Cost Calculation form, attached to each Notice of Intent, provides detail on indirect cost recovery. The total amount of funds requested will not exceed \$250,000. Total estimated indirect costs are \$43,046 of which \$13,866 will be used to meet local match requirements for the Head Start program. The term of the programs will be August 1, 2000, through June 30, 2001. (C22010993ZZ) (C22011003) (C22011013)

Public Health Services

33. AMENDMENT TO CONTRACT WITH TIERNEY ANNE MURPHY, M.D.

Approve Amendment No. 3 to contract with Tierney Anne Murphy, M.D., for the provision of physician services to homeless individuals at the Maricopa County Department of Public Health (MCDPH) Healthcare for the Homeless Program. The amendment extends the term of the contract an additional three months from August 1, 2000, to October 31, 2000, at no additional cost to the County. All other terms and conditions remain unchanged. (C8699043103)

CHIEF INFORMATION OFFICER

Telecommunications

34. CABLE TELEVISION LICENSE TRANSFER AGREEMENT WITH QWEST COMMUNICATIONS INTERNATIONAL, INC.

Approve the proposed Cable Television License Transfer Agreement and execute documents to transfer the Cable Television License held by US West Broadband Services, Inc., ("US West") to Qwest Communications International, Inc., ("Qwest") of Denver, Colorado. The current US West License Agreement became effective April 21, 1999, and expires April 20, 2014. In accordance with

the Maricopa County Cable Communications Ordinance of December 12, 1988, US West has submitted to the County a filing fee of \$2,000 for the requested action. Upon completion of the transfer, Qwest will become the parent company of US West, while US West will remain the operator of the cable television system. As a result of this action, there will be no change in the amount of license fees received by Maricopa County from US West or Qwest. (C7699017102)

CHIEF PUBLIC WORKS OFFICER

Equipment Services

35. IN-SERVICE TEST PROGRAM - FORD MOTOR COMPANY

Approve an in-service test program to be performed with the Ford Motor Company. The test will involve liquid-cooled alternators on five Model Year (MY) 2000 Ford Crown Victoria Patrol Sedans. The parts will be provided at no charge, and Ford personnel will perform the installation. There will be no financial impact upon the County. There will be no adverse or abnormal impact upon equipment operation or availability. (C7401002)

Solid Waste

36. EXTENSION OF LEASE

Approve an extension of lease for a period of one year from October 1, 2000, through September 30, 2001, with USA Waste Arizona Landfills fka Sanifill of Arizona, Inc., for storage of waste tires at their Northwest Regional Landfill. Extension lease rate is \$26,000/year plus applicable taxes. (C6796031201)

Transportation

37. Approve easements and right-of-way documents for highway and public purposes. (ADM2007)

38. CONVEYANCE OF COUNTY-OWNED 26.45 ACRE EXCESS PROPERTY SITE

Authorize the conveyance of a County-owned approximately 26.45 acre excess property site, to the State of Arizona for wildlife habitat mitigation, acting by and through its Arizona Game & Fish Commission. This action is a requirement imposed by the U.S. Army Corps of Engineers related to the construction of the 115th Avenue Bridge at the Salt River proximate to Phoenix International Raceway. In order to comply with Section 404 of the Clean Water Act, a mitigation plan was developed to compensate for adverse impacts to the Gila River habitat as a result of the bridge construction. (THIS ITEM REQUIRES UNANIMOUS APPROVAL OF THE BOARD.) (C6400247)

MARICOPA INTEGRATED HEALTH SYSTEMS

39. Approve Maricopa Integrated Health Systems Personnel Agenda.

STATUTORY MATTERS

40. Industrial Development Authority - "These items are being considered by the Board solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued." (ADM4792)

- a) The Industrial Development Authority of the County of Maricopa Multifamily Housing Revenue Bonds (GNMA Collateralized Mortgage Loan – Villas at Augusta Ranch Apartments Project) in an aggregate principal amount not in excess of \$20,000,000.
- b) The Industrial Development Authority of the County of Maricopa Multifamily Housing Refunding Revenue Bonds (Las Gardenias Apartments Project), Series 2000 in an amount not-to-exceed \$18,000,000.

41. Approve minutes of the Board of Supervisors meeting held June 22, 2000.
42. Authorize the appointment and cancellation of appointment of Precinct Committeemen. (ADM1701)
43. *Authorize the Official Appointments and Oaths of Office of Kimberly Adair and Scott D. Hoffman as special deputy clerks in the Office of the Clerk of the Superior Court.*
44. Approve requests from the Assessor for corrections of the Secured Tax Rolls in accordance with the report on file in the Office of the Clerk of the Board of Supervisors. (ADM705)
45. Necessary affidavits having been filed, approval is requested that duplicate warrants be issued to replace county warrants and school warrants which were either lost or stolen, in accordance with the list on file in the Office of the Clerk of the Board of Supervisors. (ADM1823) (ADM3809)
46. The Board of Supervisors finds that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. A list of claims is on file in the Office of the Clerk of the Board of Supervisors. (ADM1816)
47. Approve the settlement of tax cases on file in the Office of the Clerk of the Board of Supervisors, list dated August 9, 2000. (ADM704)
48. **Unsecured Personal Property** – Accept Unsecured Personal Property account numbers totaling 2,633 representing **mobile homes** from February 20, 2000, to June 27, 2000. (ADM707)
49. **Classification Changes** - Pursuant to A. R. S. §42-256, the Assessor has recommended the Board change classification and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)
50. Accept the requested compromise as payment in full for the following. **(Discussed in executive session held July 26, 2000.)** (ADM407)
- | | | |
|----------------------|-------------------|-------------------|
| Mario Bello | Robert Fletcher | Adam B. Gutierrez |
| Maria Sahagun Guzman | William Jones | Jose Pacheco |
| Maximo Rivera | Francisco Salgado | Juan Sandoval |
| Jean Washington | | |
51. Accept the recommended request that the following debts be written off. **(Discussed in executive session held July 26, 2000.)** (ADM407)
- | | | |
|-------------------|-------------------|------------|
| Alexis Bustamante | Antionette Howard | Sara Smith |
|-------------------|-------------------|------------|
52. Accept the provisions for loan for Lori Ogden from medical lien. **(Discussed in executive session held July 26, 2000.)** (ADM407)

FLOOD CONTROL DISTRICT AGENDA

53. Approve minutes of meeting held June 22, 2000.
54. Approve Personnel Agenda.
55. Approve easements, right-of-way documents, relocation assistance, and appraisal services contracts under \$5,000 per resolution FCD 87-12; escrow instructions per resolution FCD 87-13;

license procedures and fee schedules per resolution FCD 97-02; and payment of tax notices per resolution FCD 97-07 for Flood Control purposes. (ADM1910)

56. CONTRACTS FOR SERVICES

Award the following contracts for services for the Flood Control District:

- a) ***HDR Engineering, Inc., FCD 2000C001, for engineering services to be performed for the Laveen Area Drainage Master Plan Project. The contract includes a basic lump sum amount of \$614,701, plus a not-to-exceed amount of \$88,881 for optional items, i.e., field survey, additional hydraulics and hydrology, obtaining permits, visual analysis, presentations, and distribution of documents. The total contract amount will not exceed \$703,582. The contract performance period is 425 days. The project study area is approximately 16 square miles, bounded by the Salt River on the north, 43rd Avenue on the east, South Mountain on the south, and the Gila River Indian Community on the west. (Supervisory District No. 5) (C69010025)***
- b) ***Pentacore Arizona, FCD 2000C026, for on-call engineering and survey services in the not-to-exceed amount of \$150,000. This contract shall be effective for two years from the date of its execution or until the contract amount of \$150,000 is expended, whichever occurs first. (C69010035)***
- c) ***Aztec Engineering, FCD 2000C024, for on-call engineering and survey services in the not-to-exceed amount of \$150,000. This contract shall be effective for two years from the date of its execution or until the contract amount of \$150,000 is expended, whichever occurs first. (C69010075)***

57. RESOLUTION – COORDINATE DESIGN AND CONSTRUCTION OF UNION HILLS FIELD OFFICE PROJECT

Adopt Resolution FCD 2000R010 authorizing the Flood Control District of Maricopa County to coordinate design and construction of the Union Hills Field Office Project. The project will be constructed for an amount not-to-exceed \$150,000. The project will be constructed on property owned by the District on Union Hills Drive at approximately 39th Street. The drainage inspection staff will use the Union Hills Field Office in order to be closer to their work sites, thereby reducing commute time and making available more productive work time. (Supervisory District No. 3) (C69010106)

58. ON-CALL CONTRACTS FOR SERVICES

Award the following on-call contracts for services for the Flood Control District. These are qualification-based selections in accordance with MC1-504.D.6.

- a) Parsons Brinckerhoff Quade & Douglas, Inc., FCD 2000C027, to provide post design services for the Osborn Road Storm Drain project on an "as-needed" basis. This contract is effective for one year from the date of award or the expenditure of the not-to-exceed amount of \$40,000, whichever occurs first. (C69010085)*
- b) Western Technologies, Inc., FCD 2000C023, for environmental services. This contract is for the not-to-exceed amount of \$250,000 and is effective for two years or until the contract amount of \$250,000 is expended, whichever occurs first. The District and the Consultant will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. (C69010115)*
- c) Dames & Moore, Inc., FCD 2000C015, for environmental and archeological services. This contract is for the not-to-exceed amount of \$250,000 and is effective for two years or until the contract amount of \$250,000 is expended, whichever occurs first. The District and the Consultant will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. The District selected Dames and Moore for both environmental and archeological assignments since they are on the approved Register for both areas. (C69010125)*

LIBRARY DISTRICT AGENDA

59. Approve minutes of meeting held June 22, 2000.

60. Approve Personnel Agenda.

61. LEASE WITH TOWN OF QUEEN CREEK

Approve a two-year lease (L7072) with the Town of Queen Creek for 1,894 square feet of library space located at 22407 South Ellsworth Road, Queen Creek, Arizona. The term of this lease shall commence on the July 1, 2000, and terminate on the June 30, 2002. The rent is \$1 per year. (C6597021403)

62. ARIZONA HUMANITIES COUNCIL GRANT

Approve acceptance of an Arizona Humanities Council Grant, number GG58-3194-2000, and amend the budget increasing revenues and expenditures in the amount of \$1,729. This grant will be used in the OZ 100th Anniversary Festival directed by the Library District's Children's Services Coordinator. The grant period is June 2, 2000, through October 31, 2000. The Department's indirect cost rate is 25%. Grant indirect costs are not recoverable. Unrecoverable indirect costs are estimated to be \$432. (C65000440)

63. RENEWAL OF INTERGOVERNMENTAL AGREEMENT WITH TOWN OF GUADALUPE

Approve the renewal of an Intergovernmental Agreement with the Town of Guadalupe to provide full library services for the Town from September 1, 2000, through June 30, 2005. (C65000452)

64. RENEWAL OF INTERGOVERNMENTAL AGREEMENT WITH CITY OF EL MIRAGE

Approve the renewal of an Intergovernmental Agreement with the City of El Mirage to provide full library services for the City. The term of this agreement is for three years commencing on July 1, 2000. (C65000462)

STADIUM DISTRICT AGENDA

65. Approve minutes of meeting held June 22, 2000.

66. Approve Personnel Agenda.

67. MEMORANDUM OF UNDERSTANDING – MEDIATED SETTLEMENT

Approve the "Memorandum of Understanding regarding mediated Settlement" that resolves the outstanding Bank One Ballpark construction claims. The settlement resolves the claims at no cost to the District and requires that all related-pending claims and litigation be dismissed with prejudice. (C78010020)

CALL TO THE PUBLIC AND SUPERVISORS' COMMENTS

68. *Public comment on matters pertaining to Maricopa County government. Please limit comments to 2 to 3 minutes. (Public comment is at the discretion of the Chairman.) (ADM605)*

69. *Information and Supervisors' Comments. (ADM606)*

PLANNING AND ZONING

CONSENT AGENDA:

(Detailed below)

1. S2000026, Final Plat in the Rural-43 zoning district for Santan Vista Unit 1A, located at the northeast corner of State Highway 87 (Arizona Avenue) and Hunt Highway (in the Chandler area) (District 1)
2. Z2000002, rezone from Rural-43 to C-2 P.D., located on the southeast corner of 99th Avenue and Camelback Road (in the Phoenix area) (District 4)
3. Z2000043, Special Use Permit for mobile home, located on Buenos Aires Road (AKA Chandler Heights Boulevard) and Manzanilla Road, approximately ½ mile west of Rainbow Valley Road (in the Rainbow Valley Area) (District 5)

REGULAR AGENDA:
(Detailed below)

4. Z 99-78, Special Use Permit in the Rural-190 zoning district for a public riding and boarding facility, located at the southwest corner of Lone Mountain Road and 152nd Street (in the Rio Verde area) (District 2)
5. Z 99-104, rezone from Rural-43 to R1-35, located west of the southwest corner of Ocotillo Road and Greenfield Road (in the Gilbert area) (District 1)
6. Z 99-107, Special Use Permit in the Rural-43 zoning district for a kennel (pet grooming operation), located at the northeast corner of 193rd Avenue and Culver Street (in the Buckeye area) (District 4) (Continued from June 7, 2000)
7. Z 99-114, rezone from C-2 to C-3 P.D., located north of the northwest corner of Arizona Avenue (State Highway 87) and Riggs Road (in the Sun Lakes area) (District 1)
8. Z 99-115, Special Use Permit for a mini-storage facility, located north of the northwest corner of Arizona Avenue (State Highway 87) and Riggs Road (in the Sun Lakes area) (District 1)
9. Z2000037, Special Use Permit for a single-wide mobile home in the Rural-43 zoning district, located at 2227 East Cavalry Road (in the New River/Desert Hills area) (District 3) (Continued from July 26, 2000)
10. CPA99-02, request to change the land use designation from Rural Development Area (RDA) to Industrial to allow for construction of an electrical generating facility located in the unincorporated Harquahala Valley, west of Tonopah, north of the northwest corner of 491st Avenue and Courthouse Road (District 5)
11. Z2000049, Special Use Permit for a combined-cycle electric generating plant located in the unincorporated Harquahala Valley, west of Tonopah, north of the northwest corner of 491st Avenue and Courthouse Road (District 5)
12. Z2000060, Special Use Permit for mobile home in the Rural-190 zoning district, located at 30340 West Peakview Road, west of Grand Avenue and north of Patton Road (in the Wittmann area) (District 4)

CONSENT AGENDA DETAIL:

1. **S2000026** **District 1**

Applicant: **J & K Tarwater, LLC**

Location: Northeast corner of State Highway 87 (Arizona Avenue) and Hunt Highway (in the Chandler area)

Request: Final Plat in the Rural-43 zoning district for Santan Vista Unit 1A (5.53 gross acres)
2. **Z2000002** **District 4**

Applicant: Tail & Associates, Inc. for Tosco Marking Company

Location: Southeast corner of 99th Avenue & Camelback Road (in the Phoenix area)

Request: Rezone from Rural-43 to C-2 P.D. (1.01 acres)

COMMISSION ACTION: Commissioner Clayburg moved to recommend approval of Z2000002, subject to the following stipulations "a" through "k". Commissioner Hubbs seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the "Rezone Map" for the subject site, consisting of 1 sheet date stamped by the project land surveyor May 18, 2000 and stamped received May 2, 2000 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Narrative Report for Zone Change Request", consisting of 5 pages, dated (revised) May 2, 2000 and stamped received May 2, 2000 except as modified by the following stipulations.
- c. The applicant shall record the legal description and obtain a new assessor parcel number for the rezone site within 180 days of approval of this request by the Board of Supervisors.
- d. Upon site development, the applicant shall provide a right-turn deceleration lane on 99th Avenue as approved by the Maricopa County Department of Transportation.

- e. Landscaping in County right of way shall comply with requirements in Maricopa County Department of Transportation Roadway Design Manual.
- f. Prior to development of the site, a precise Plan of Development will be required with approval by the Board of Supervisors.
- g. Dedication of additional rights-of-way to bring the total half-width dedication to 125' for 99th Avenue and 65' for Camelback shall occur within 6 months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
- h. Prior to the approval of a precise plan, the applicant shall submit a signed and recorded pre-annexation agreement with the City of Phoenix.
- i. Development of the site shall include half-street improvements (including paving, gutter, and sidewalk) to ultimate width for Camelback Road and 99th Avenue along the perimeter of the site.
- j. Major changes to this rezone shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- k. Non-compliance with the rezone (the rezone map and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.

3. Z2000043 District 4

Applicant: Michael and Heather Lott

Location: Buenos Aires Road (AKA Chandler Heights Boulevard) and Manzanilla Road, approximately one half mile west of Rainbow Valley Road (in the Rainbow Valley area)

Request: Special Use Permit to allow the placement of a mobile home in the Rural-43 zoning district (4.49 acres)

COMMISSION ACTION: Commissioner Jones moved to recommend approval of Z2000043, subject to the following stipulations "a" through "i". Commissioner Pugmire seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the site plan entitled "The Lott Project" consisting of 1 sheet, dated March 31, 2000 and revised May 22, 2000, and stamped received May 23, 2000, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "The Lott Project", consisting of 5 pages, dated March 31, 2000 and revised May 22, 2000, and stamped received May 23, 2000, except as modified by the following stipulations.
- c. A permit for the individual sewage system must be obtained from the County Water and Waste Management Division and a well-drilling permit will be required from the Arizona Department of Water Resources.
- d. Prior to installation of the mobile home, or any grading of the property, a drainage clearance in conjunction with a building permit shall be obtained.
- e. The applicant must provide evidence that access to the property is permitted within the existing 8' public utility easement along the western boundary of the property. In the event access is not granted from the applicable public utility companies, the applicant must provide proper access to the property that is acceptable to the Maricopa County Department of Transportation.
- f. Major changes to this Special Use Permit must be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Planning Commission. The Department of Planning and Development may administratively approve minor changes.
- g. This Special Use Permit shall expire 5 years from Board of Supervisor approval.

- h. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in Section 2806 of the Zoning Ordinance.
- i. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with Article XXVIII, Section 2806 (Conditional Zoning).

REGULAR AGENDA DETAIL:
ZONING CASES:

4. Z 99-78 District 2

Applicant: Beus Gilbert, P.L.L.C for Savannah Partners

Location: Southwest corner of Lone Mountain Road and 152nd Street (in the Rio Verde area)

Request: Special Use Permit to allow a public riding and boarding facility in the Rural-190 zoning district (20 acres)

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of Z 99-78, subject to the following stipulations "a" through "m". Commissioner Gulbrandsen seconded the motion, which passed with a majority vote of 6-1, with Commissioner Jones dissenting.

- a. Development shall comply with the site plan entitled, "Site Plan/ Project Information Case Z 99-78" consisting of 1 sheet, dated (revised) May 31, 2000 and stamped received June 1, 2000 except as modified by the following stipulations.
- b. Development shall comply with the provisions in the narrative report entitled, "Casa de los Caballos Request for Special Use Permit" consisting of 3 pages and a two page addendum, dated June 20, 2000 except as modified by the following stipulations.
- c. All refuse and animal wastes shall be stored within an enclosed building or within odor-proof closed containers. Prior to the issuance of building permits the applicant shall submit evidence that containers have been provided for adequate storage of one weeks accumulation of manure. All manure shall be removed from the site at least once per week.
- d. The applicant shall agree to future participation in paving access road when traffic warrants (exceeds 150 ADT).
- e. No riding events, outside of typical lesson activities, shall be allowed without first obtaining either a Special Use Permit or a Temporary Use Permit for such use.
- f. The number of commercially boarded horses on the property shall be limited to 50 horses at any one time.
- g. The applicant shall provide Maricopa County Department of Transportation with a status report to evaluate traffic impacts and dust control measures at the end of two years.
- h. The applicant shall submit a written report outlining the status of the development at the end of two years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the special use continues to be in compliance with these stipulations.
- i. This Special Use Permit shall expire 10 years from the date of approval by the Board of Supervisors.
- j. All lighting must comply with the standards of Section 2318 of the Maricopa County Zoning Ordinance.
- k. Major changes to this Special Use Permit must be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. The Department of Planning and Development may administratively approve minor changes.
- l. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in Section 2806 of the Zoning Ordinance.
- m. The applicant shall dedicate 55' half-width right-of-way along Lone Mountain Road and 152nd Street within six months of Board of Supervisor approval.

5. Z 99-104 District 1

Applicant: AGRA Infrastructure, Inc. for Circle G Development, L.L.C.

Location: West of the southwest corner of Ocotillo Road and Greenfield Road (in the Gilbert area)

Request: Rezone from Rural-43 to R1-35 (80.9 acres)

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of Z 99-104, subject to the following stipulations "a" through "f". Commissioner Jayne seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan entitled "Preliminary Plat for Circle G at Ocotillo", consisting of 2 sheets, dated (revised) June 1, 2000 and stamped received June 5, 2000 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Circle G @ Ocotillo Maricopa County, Arizona", consisting of 11 pages, dated (revised) May, 2000 and stamped received June 5, 2000 except as modified by the following stipulations.
- c. Dedication of additional rights-of-way to bring the total half-width dedication to 65' for Ocotillo Road may occur with final plat approval, but in any instance shall occur within 6 months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
- d. All secondary access points shall have proof of legal access and/or agreements with property owners for cross access at time of final plat.
- e. All interior streets within the proposed development are to be constructed to minimum County standards.
- f. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.

- g. The applicant shall survey the subject property for cultural resources and submit the survey to the State Historic Preservation Office for review and comment prior to final plat approval for any plat.
- h. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
- i. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units shall be ground-mounted.
- j. Prior to the approval of a final plat for any portion or phase of this development, a traffic impact analysis must be provided and approved by the Maricopa County Department of Transportation.
- k. Major changes to the plan shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.
- l. Non-compliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, non-compliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.

6. Z 99-107 District 4

Applicant: Madella Shelton

Location: Northeast corner of 193rd Avenue and Culver Street (in the Buckeye area)

Request: Special Use Permit in the Rural-43 zoning district for a dog grooming facility (0.42 acres)

COMMISSION ACTION: Commissioner Hubbs moved to recommend approval of Z 99-107, subject to the following stipulations "a" through "i". Commissioner Clayburg seconded the motion, which passed with a majority vote of 7-1, with Commissioner Harris dissenting.

- a. Development shall comply with the 8 ½ " x 11" site plan entitled "A to Z Pet Grooming Service", consisting of one sheet, stamped received April 2, 2000, except as modified by the following stipulations.
- b. Development shall comply with the provisions in the narrative report entitled " A to Z Pet Grooming Service", consisting of 5 pages, stamped received April 2, 2000, except as modified by the following stipulations.
- c. The applicant shall submit a written report outlining the status of the development at the end of one year from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the approved stipulations have been complied with.
- d. This Special Use Permit shall expire 5 years from the date of approval by the Board of Supervisors.
- e. Major changes to this Special Use Permit must be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. The Department of Planning and Development may administratively approve minor changes.
- f. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- g. Noncompliance with the conditions of approval will be treated as a violation in accordance with Article XXIX (Violation and Penalty). Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with Article XXVIII, Section 2806 (Conditional Zoning).
- h. No animals shall be kenneled overnight.
- i. The number of dogs allowed on site relative to the grooming business shall be limited to six.

7. **Z 99-114 District 1**

Applicant: Huitt-Zollars for U-Haul

Location: North of the northwest corner of Arizona Avenue (State Highway 87) and Riggs Road (in the Sun Lakes area)

Request: Rezone from C-2 to C-3 P.D. (5 acres)

COMMISSION ACTION: Commissioner Jayne moved to recommend approval of Z 99-114, subject to the following stipulations "a" through "r". Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan entitled "Site Plan for U-Haul at Arizona Avenue and Riggs Road", consisting of 2 sheets, dated (revised) June 23, 2000 and stamped received June 26, 2000 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Narrative Report, U-Haul Retail Center at Arizona Avenue and Riggs Road", consisting of 3 pages, dated (revised) June 23, 2000 and stamped received June 26, 2000 except as modified by the following stipulations.
- c. Prior to the issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency and shall provide written confirmation that the site will be developed in accordance with their requirements.
- d. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible.
- e. All trees shall be double-staked when installed.
- f. The applicant shall submit a written report outlining the status of the development at the end of five years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- g. A wrought iron fence with a view obscuring security gate shall be installed by the applicant in place of the proposed slatted chain link fence along the west property line.
- h. Storage buildings along the north and west sides of the development shall be painted in a muted desert color paint scheme to be approved by staff prior to the issuance of permits.
- i. Freestanding sign area shall be limited to 250-sq. ft. or less.
- j. The proposed drywell shall be permitted prior to the issuance of permits.
- k. Irrigation ditches along the front (east) and side (north) property lines shall be tiled within 90 days of permit issuance. Evidence indicating accomplishment of this task shall be submitted to staff.
- l. The developer shall coordinate with the ADOT Phoenix Maintenance District regarding drainage and access to Arizona Avenue.
- m. Development of this site shall comply with Section 2308.4 of the Maricopa County Zoning Ordinance.
- n. A continuous parapet shall screen all roof-mounted equipment.
- o. This Special Use Permit shall expire 30 years from the date of approval by the Board of Supervisors, or upon termination of the use, whichever occurs first.
- p. Major changes to this plan of development (the site plan and narrative report)/Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.

- q. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- r. Changes in the location and type of walls may be approved administratively as slight refinements to the site plan.

8. Z 99-115 District 1

Applicant: Huitt-Zollars for U-Haul

Location: North of the northwest corner of Arizona Avenue (State Highway 87) and Riggs Road (in the Sun Lakes area)

Request: Special Use Permit for a mini-storage facility (5 acres)

COMMISSION ACTION: Commissioner Jayne moved to recommend approval of Z 99-115, subject to the following stipulations "a" through "r". Commissioner Hubbs seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan entitled "Site Plan for U-Haul at Arizona Avenue and Riggs Road", consisting of 2 sheets, dated (revised) June 23, 2000 and stamped received June 26, 2000 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Narrative Report, U-Haul Retail Center at Arizona Avenue and Riggs Road", consisting of 3 pages, dated (revised) June 23, 2000 and stamped received June 26, 2000 except as modified by the following stipulations.
- c. Prior to the issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency and shall provide written confirmation that the site will be developed in accordance with their requirements.
- d. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible.
- e. All trees shall be double-staked when installed.
- f. The applicant shall submit a written report outlining the status of the development at the end of five years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- g. A wrought iron fence with a view obscuring security gate shall be installed by the applicant in place of the proposed slatted chain link fence along the west property line.
- h. Storage buildings along the north and west sides of the development shall be painted in a muted desert color paint scheme to be approved by staff prior to the issuance of permits.
- i. Freestanding sign area shall be limited to 250-sq. ft. or less.
- j. The proposed drywell shall be permitted prior to the issuance of permits.
- k. Irrigation ditches along the front (east) and side (north) property lines shall be tiled within 90 days of permit issuance. Evidence indicating accomplishment of this task shall be submitted to staff.
- l. The developer shall coordinate with the ADOT Phoenix Maintenance District regarding drainage and access to Arizona Avenue.
- m. Development of this site shall comply with Section 2308.4 of the Maricopa County Zoning Ordinance.
- n. A continuous parapet shall screen all roof-mounted equipment.

- o. This Special Use Permit shall expire 30 years from the date of approval by the Board of Supervisors, or upon termination of the use, whichever occurs first.
- p. Major changes to this plan of development (the site plan and narrative report)/Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- q. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- r. Changes in the location and type of walls may be approved administratively as slight refinements to the site plan.

9. Z2000037 District 3 (THIS ITEM CONTINUED FROM MEETING OF JULY 26, 2000.)

Applicant: Pamela Simons Ista

Location: 2227 East Cavalry Road (in the New River/Desert Hills area)

Request: Special Use Permit in the Rural-43 zoning district for a single-wide mobile home (1.22 acres)

COMMISSION ACTION: Commissioner Jayne moved to recommend approval of Z 2000037, subject to the following stipulations "a" through "f". Commissioner Harris seconded the motion, which passed with a unanimous vote of 7-0.

- a. The applicant shall submit a revised and accurate site plan within thirty days of the Planning and Zoning Commission meeting of June 1, 2000. The site plan shall be complied with except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Horner Existing Residential", consisting of 5 pages, stamped received May 2, 2000 except as modified by the following stipulations.
- c. Major changes to this Special Use Permit must be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. The Department of Planning and Development may administratively approve minor changes.
- d. This Special Use Permit shall expire 10 years from Board of Supervisors approval.
- e. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- f. Non-compliance with the conditions of approval will be treated as a violation in accordance with The Maricopa County Zoning Ordinance (Violation and Penalty). Further, non-compliance of the conditions of approval may be grounds for the Commission to take action in accordance with Article XXVIII, Section 2806 (Conditional Zoning).

10. CPA 99-02 District 5

Applicant: Streich Lang for the Accomazo Company

Location: Northwest corner of 491st Avenue and Courthouse Road (in the Harquahala Valley area)

Request: To change the land use designation from Rural Development Area to Industrial to allow for construction of an electrical generating facility in the Rural-43 zoning district (160 acres)

COMMISSION ACTION: Commissioner Harris moved to recommend approval of CPA 99-02, subject to the following stipulations "a" through "d". Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development shall comply with the Area Plan Amendment entitled "Application to Amend the Maricopa Comprehensive Plan Harquahala Generating Project" consisting of 24 pages plus exhibits stamped received June 5, 2000, except as modified by the following stipulations.
- b. Any request to change the land use designation from Industrial as approved herein shall require a Comprehensive Plan Amendment with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission.
- c. The land use designation shall not become effective until after the zoning clearance associated with the Special Use Permit application for Harquahala Generating Project (Z2000049) has been granted.
- d. The Industrial land use designation shall revert to the Rural Development Area land use designation after 5 years unless the plant is fully operational and generating electricity at its rated capacity. At the expiration of the Special Use Permit (40 years from Board of Supervisors approval or any subsequent time extension), the Industrial designation shall remain on the property.

11. **Z2000049** **District 5**

Applicant: Streich Lang for the Accomazo Company

Location: Northwest corner of 491st Avenue and Courthouse Road (in the Harquahala Valley area)

Request: Special Use Permit for a combined-cycle electric generating plant (160 acres)

COMMISSION ACTION: Commissioner Harris moved to recommend approval of Z2000049, subject to the following stipulations "a" through "v". Commissioner Jayne seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the site plan entitled "Harquahala Generating Company, Inc.", consisting of 21 sheets, dated (revised) June 5, 2000 and stamped received June 5, 2000, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Special Use Permit Application Z2000049 Harquahala Generating Project", consisting of 31 pages plus exhibits, dated June 5, 2000, and stamped received June 5, 2000, except as modified by the following stipulations.
- c. Development of the site shall be in compliance with all applicable Maricopa County Air Quality rules and regulations.
- d. The applicant shall provide legal access documentation for the site prior to zoning clearance.
- e. Dedication of additional right-of-way to bring the total half-width dedication to 55' for 491st Avenue shall occur within 6 months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
- f. Existing encroachments within the new right-of-way may remain until notified in writing by the Maricopa County Department of Transportation Director. If/when relocation is required due to a public improvement project, it shall be done so in a timely manner at the applicant's expense.
- g. Prior to drainage clearance approval, a time limit for the Temporary Construction Lay Down Area shall be stated on the Grading Plan.
- h. Prior to construction, a drainage clearance in conjunction with a building permit must be obtained from the Flood Control District Permitting office.

- i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation for landscaping or other improvements in the right-of-way.
- j. The applicant shall survey the subject property for cultural resources and submit the survey to the State Historic Preservation Office for review and comment prior to zoning clearance.
- k. The interior driveways and parking spaces (both permanent and temporary) shall be surfaced with a form of dust-proofing deemed acceptable by the Maricopa County Department of Environmental Services at the time of zoning clearance.
- l. Harquahala Generating Project shall use CAP water as its primary source of water subject to annual availability.
- m. Harquahala Generating Project may withdraw groundwater from the Harquahala Irrigation Non-Expansion Area for electrical generation and related uses in an amount not to exceed 62,500 acre feet per ten year period as determined by using a ten-year rolling average commencing on the date the Harquahala Generating Project first begins withdrawing groundwater in connection with the Project. Groundwater withdrawal in excess of 62,500 acre feet per 10 years shall require a major amendment to the Special Use Permit and be subject to public hearing and Board of Supervisor approval.
- n. Harquahala Generating Project shall site and operate its wells in a manner to prevent "unreasonably increasing damage," as determined by the Arizona Department of Water Resources consistent with A.A.C. R12-15-830, to any well of record with ADWR as of date of Board of Supervisor approval.
- o. The applicant shall submit an annual written report outlining the status of the development until such time as the Special Use Permit expires. The first report shall be submitted on August 9, 2001. The status report shall be reviewed by staff to determine compliance with stipulations and whether the report needs to be reviewed by the Planning and Zoning Commission. The status report shall also contain groundwater monitoring reports with annual withdrawals as well as all other annual water use itemized by type and quantity. In addition, a copy of the applicant's annual CAP allotment shall be submitted.
- p. Prior to zoning clearance, the applicant shall provide a "will serve" letter from a fire service provider that has obtained certification from the State Fire Marshall. The applicant shall also provide a "will serve" letter from an ambulance service provider that has obtained certification from the Arizona Department of Health Services.
- q. Prior to zoning clearance, the applicant shall provide a "will serve" letter from a qualified service provider for natural gas.
- r. All outdoor lighting shall be designed as recommended by the International Dark-Sky Association and shall be in compliance with Section 2318 of the Maricopa County Zoning Ordinance.
- s. The proposed pond shall be lined and inspected by representatives of the Maricopa County Planning and Development Department, Building and Safety Division prior to use.
- t. This Special Use Permit shall expire 40 years from the date of approval by the Board of Supervisors.
- u. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department. Reduction in use and intensity, (i.e. decreased building footprint, increased setback, decreased building height, etc.), regardless of percent change, shall be considered a minor change.
- v. Non-compliance with the site plan and narrative report or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.

12. Z2000060 District 4

Applicant: Mike Deaton

Location: 30340 West Peakview Road, west of Grand Avenue and north of Patton Road (in the Wittmann area)

Request: Special Use Permit to allow the placement of a mobile home in a Rural-190 zoning district (4.66 acres)

COMMISSION ACTION: Commissioner Clayburg moved to recommend approval of Z2000060, subject to the following stipulations "a" through "h". Commissioner Hubbs seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the site plan entitled "Deaton Residence" consisting of 1 sheet, dated January 6, 1997 and stamped received May 20, 2000, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "A Request for a Special Use Permit for a Mobile Home on a Rural-190 Parcel for the Deaton Residence", consisting of 2 pages, dated May 2, 2000 and stamped received May 2, 2000, except as modified by the following stipulations.
- c. Prior to installation of the mobile home, or any grading of the property, a drainage clearance in conjunction with a building permit shall be obtained.
- d. A permit for the individual sewage system must be obtained from the County Water and Waste Management Division.
- e. Major changes to this Special Use Permit must be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Planning Commission. The Department of Planning and Development may administratively approve minor changes.
- f. This Special Use Permit shall expire 20 years from Board of Supervisor approval.
- g. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in Section 2806 of the Zoning Ordinance.
- h. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with Article XXVIII, Section 2806 (Conditional Zoning).